

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

JOSE RODRIGUEZ-CHAVEZ,	:	CIV. NO. 22-7343 (RMB)
	:	
Petitioner	:	
v.	:	<b>MEMORANDUM OPINION</b>
	:	
WARDEN, FCI FORT DIX,	:	
	:	
	:	
Respondent	:	

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**IT APPEARING THAT:**

1. On or about December 16, 2022, Petitioner Jose Rodriguez-Chavez, a prisoner confined in the Federal Correctional Institution in Fort Dix, New Jersey (“FCI Fort Dix”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, alleging the Bureau of Prisons (“BOP”) unlawfully found him ineligible for application of First Step Act (“FSA”) Time Credits because he is subject to an immigration detainer. (Docket No. 1.)

2. On March 14, 2023, Respondent submitted a letter brief in lieu of an answer, arguing that the habeas petition is moot because the BOP revised Program Statement 5410.01 to remove reference to immigration detainees rendering inmates ineligible to apply FSA Time Credits. (Declaration of Cyntrena Cross-Peart, Docket No. 6-1, ¶ 11.) Therefore, BOP calculated and applied 255 days of FSA Time Credits toward Petitioner’s release date. (*Id.*, ¶ 12.) Respondent contends the habeas petition is moot because the case no longer presents a live case or controversy. (Docket No. 6.)

3. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996).

4. Petitioner has received the habeas relief he requested. Therefore, the petition is moot, and the Court will dismiss this matter.

An accompanying Order follows.

DATE: **July 12, 2023**

s/Renée Marie Bumb  
RENÉE MARIE BUMB  
Chief United States District Judge